

## ARTICLE 22

### YARD REGULATIONS

SECTION 22-1. **Residential Districts.** In S and R districts every yard required by this code, and in H districts every yard so required except rear yards and except also side yards not abutting a street line, shall, along every lot line on which such yard abuts, be at a level no higher than grade level or, if the grade level of the abutting lot is higher be at a level no higher than such higher level. Rear yards in H districts and also side yards in such districts not abutting a street line shall, along every lot line on which they abut, be at a level no higher than five feet above grade level.

;SECTION 22-2. **Other Districts.** In any district, except an S, R, or H district, every front yard required by this code shall, along every lot line on which such yard abuts, be at grade level; and every rear yard so required and every side yard so required which does not abut a street line shall, along every lot line on which such yard abuts, be at a level no higher than the level of the lowest window sill in the lowest room designed for human occupancy or so occupied, and relying upon natural light or natural ventilation from windows opening on such yard.

(;As amended on August 30, 1988 and April 27, 1990)

;SECTION 22-2A. **Landscaping or Screening of Lots in M, I, MER, W, WM, and WS Districts that Abut S, R or H Districts.** When a front, side or rear yard (if any) of a lot in an M, I, MER, W, WM, or WS district abuts or is across the street from an S, R or H district, if such lot is used for a use that is forbidden in the abutting S, R or H district, such yard shall be screened by a concealing fence or wall or be landscaped. In either case, the design of the screening or landscaping must be approved by the design section of the Boston Redevelopment Authority, and the plantings, fencing or wall must be adequately maintained thereafter. For purposes of this section, two districts shall not be deemed to abut one another if the boundary between them is a rail right of way or river, or to be across the street from one another if such street is 60 feet or more in width.

This requirement for landscaping or screening shall apply to any change in the use of a building or structure or of land, and to any alteration of a building or structure when the same would amount to a reconstruction or extension, Section 13-3 notwithstanding.

(;As inserted on February 14, 1979 and amended on August 30, 1988 and April 27, 1990)

SECTION 22-3. **Underground Encroachments.** In any district other than a S or R district, any garage or other accessory structure erected underground within any rear yard or side yard required by this code, including the piers, railings and parapets thereof, shall not extend more than five feet above grade level.

;SECTION 22-4. **Side Yard, Rear Yard, and Setback Requirements for Dwelling and One or More Other Main Buildings on Same Lot.** If on one lot there are two or more dwellings (other than temporary dwellings) designed for occupancy, or occupied, by one or more families, or if on one lot there are one or more such dwellings and one or more other main buildings, such dwellings shall be located no closer to one another and to such other buildings than if, and shall be separated by yards of the same minimum depths as if, each dwelling, and, where applicable, other building, were on separate lots, and the provisions of Article 21 shall apply to the same extent; and if such dwelling is to the rear of another dwelling or main building, the provisions of paragraph (b) of Section 14-5 shall also apply. After public notice and hearing and subject to the provisions of Section 6-2, the Board of Appeal may grant permission for a variation from the requirements of this section, but not as to paragraph (b) of Section 14-5, except in conformity with Section 14-6, if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this section were met.

(;As amended on October 24, 2002.)

SECTION 22-5. **Two or More Other Main Buildings on One Lot.** If on one lot there are two or more main buildings other than dwellings (which phrase, as here used, shall not be construed as excluding temporary dwellings from the words "main buildings"), the yard and setback requirements of this code shall apply at each actual lot line and not as if each building were on a separate lot.